

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL MARCAVAGE : CIVIL ACTION
v. :
NATIONAL PARK SERVICE, et al. : NO. 09-4594

ORDER

AND NOW, this 9th day of March, 2011, for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that:

(1) the motion of defendants the National Park Service and the Department of the Interior to dismiss all counts of the amended complaint as to them for lack of subject matter jurisdiction under Rule 12(b)(1) of the Federal Rules of Civil Procedure is GRANTED;

(2) the motion of defendants Alan Saperstein and Ian Crane to dismiss Counts III, IV, and VI of the amended complaint for lack of subject matter jurisdiction under Rule 12(b)(1) is GRANTED; and

(3) the motion of defendants Alan Saperstein and Ian Crane to dismiss Counts I, II, and V of the amended complaint for failure to state a claim under Rule 12(b)(6) is GRANTED.

BY THE COURT:

/s/ Harvey Bartle III

C.J.